IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3705 OF 2004

IN

CRIMINAL APPEAL NO. 1036 OF 2004

Dr.Shri Dinesh Keshav Narukar .. Applicant.

versus

The State of Maharashtra .. Respondents

...

Mr.G.H. Keluskar for the applicant.

Mr.A.M. Shringarpure for the respondents.

CORAM : V.M. KANADE, J

DATED : 6th September 2004.

P.C:-

1. Heard the learned counsel appearing on behalf of the applicant.

2. The applicant was convicted by the anti-corruption bureau for an offence punishable under section 7 of the Prevention of Corruption Act 1988 and

is sentenced to suffer Rigorous Imprisonment for one year and to pay fine of Rs.500/- and in default to suffer Rigorous Imprisonment for three months. He is also convicted under section 13(1)(d) and sentenced to suffer Rigorous Imprisonment of one year and to pay fine of Rs.500/-.

3. The appeal has been admitted. The case of the applicant is that he was permitted to carry on his private practice and the complainant was treated by him at the Government hospital as also in his private clinic. Certain amounts were due and payable by the complainant to the applicant and while the said amount was tendered, the applicant was apprehended by the police. The applicant was on bail in the trial Court.

4. In my view, this is a fit case where the applicant is entitled to be released on bail during the pendency of the appeal on the same terms and conditions which were imposed by the trial Court.

Application is allowed accordingly.

V.M. KANADE, J